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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,751	02/12/2001	Stein A. Lundby	000411	9685

23696 7590 07/08/2004	EXAMINER
Qualcomm Incorporated Patents Department 5775 Morehouse Drive San Diego, CA 92121-1714	ORGAD, EDAN

ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 April 2004_.

2a)☐ This action is **FINAL**.　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
　　closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-11_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-11_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some *　c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to the rejection of claims 1-9 have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on ale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 7 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated et al by

Hashem et al (US 6,330,456).

Regarding claim 1, Hashem teaches a remote station apparatus (col. 3, lines 24-26)

comprising: a link quality estimation unit operative to generate a link quality estimate in

response to a first power control instruction received on a common channel (col. 3, lines 64-67);

and a power control unit coupled to the link quality estimation unit, the power control unit

operative to generate a second power control instruction in response to the link quality estimate

(col. 4, lines 1-35).

Regarding claim 2, Hashem teaches the remote station apparatus controls transmission

power in response to the first power control instruction (col. 4, lines 28-32).

Regarding claim 3, Hashem teaches the remote station apparatus transmits the second

power control instruction (col. 4, lines 42-47).

Regarding claim 7, Hashem teaches a method for power control in a wireless apparatus

operative in a communication system having a forward link and a reverse link (col. 3, lines 64-

67), the system transmitting power control bits on a forward link common channel, the method

comprising: measuring a SNR of at least one power control bit for controlling a reverse link; and

determining a power control decision for the forward link based on the SNR (col. 3, lines 23-30

& col. 4, lines 1-35).

Regarding claim 10, Hashem teaches the link quality estimation unit operative to

generate the link quality estimate based on a received power level the first power control

instruction (col. 4, lines 58-62), and wherein the power control unit is further operative to

generate a second power control instruction for power control of the common channel (col. 4,

lines 62-67).

Claims 4-6, 8, 9 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated et al by

Knutsson et al (WO 99/53630).

Regarding claims 4, 6 & 8, Knutsson teaches a base station apparatus (element MS)

comprising: a decoder (inherent); and a determination unit coupled to the decoder, the

determination operative to determine a received power control instruction for base station

transmission on a common channel (pg. 5, lines 25-27); and an adjustment unit coupled to the

determination unit, the adjustment unit operative to adjust a transmission power level of the

power control instruction (pg. 5, lines 27-29).

Regarding claims 5 & 9, Knutsson teaches a base station apparatus (element BS) comprising: a control processor (inherent) for power control of transmission of power control instructions on a common channel, wherein a transmission power level of the power control instruction is initially set to a reference value (pg. 9, lines 5-7); and an amplifier (inherent) operative to adjust a power level of the power control instructions (pg. 9, lines 1-5 & pg. 10, lines 11-15).

Regarding claim 11, Knutsson teaches a transmission power level of the power control instruction is initially set to a reference value (pg. 9, lines 5-9)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,330,456 System and method to combine power control commands during soft handoff in DS/CDMA cellular systems.

US 6,269,239 System and method to combine power control commands during soft handoff in DS/CDMA cellular systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edan Orgad whose telephone number is 703-305-4223. The examiner can normally be reached on 8:00AM to 5:30PM with every other Friday off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edan Orgad can be reached on 703-305-4223. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edan Orgad

June 24, 2004

NAY MAUNG
SUPERVISORY PATENT EXAMINER